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Land- Allts.

44459-1914

H V C

Indians on Tejon Ranch.

California.

Withdrawal of land.

Meno, Nevada. Aug. 18, 1914.

The Commissioner of Indian Affairs,

Washington. D.C.

Sir:- In compliance with above instruction of May 21, 1914 I have visited the land in question and have made quite careful inquiry into the conditions and respectfully submit report as follows.

The Tejon Ranch is located South East of Bakersfield, Calif. the ranch house and headquarters being some 30 miles from Bakersfield. The ranch at present embraces over 200,000 acres mostly old Mexican grants, the Tejon grant, proper, comprising near 100,000 acres. The ranch includes a large valley half surrounded by the Tahachapi Mountains as well as considerable hill land all used for stock range except a small area cultivated for fruit and garden.

There is limited water for irrigation but small streams and springs for stock water. In addition to the old Mexican grants the company owns a large quantity of land adjacent to the grants bought from the railroad or acquired from the public domain.

I have made some inquiry into the history of this ranch and the Indian use of that locality as a home which probably should be given, briefly, in this connection.

I have had access to old reports of the Commissioner of Indian Affairs where I find reference to these Indians from the time the

Land-Allis. 44459-14. Tejon Ranch. 2.

~~jurisdiction of the United States was extended over them.~~

In the report of 1851 and 52 I find a report of O.W. Barbour, who seems to have been a member of a Commission to California Indians reporting a visit to these Indians and describing the location in a way to identify it as this same locality. He speaks of the number and of making a treaty with them and mentions them as remnants of various ~~old~~ tribes.

In the report of 1854 the report of E.F. Beale, Superintendent, estimates the number of Indians there as 700, speaks of them as being industrious and making good progress in farming. He reports 2000 acres of grain raised by community labor. He speaks of a visit of the Commissioner of Indian Affairs, and especially urges the importance of retaining that place as a home for the Indians as being well adapted for their reservation. He speaks of the interest he has taken in teaching them to farm and support themselves, and of work being done toward their christianization. He mentions a visit of a chief from the North who is well pleased with the outlook there and alleges that he will return with his tribe to the number of some 5000 Indians.

In the report of 1856, dated from "Sebastian Military Reservation" referring to the same place the ambition of the Indians to learn is mentioned and the importance of keeping faith with the Indians to overcome the suspicion they have of all government supervision resulting from mistreatment by the Mexican government. Reference is made to a treaty guaranteeing title to the land, Recommends purchase of cows and mares as calculated to make them selfsupporting,

JUL 05 2006

ASIA-OFA

Land- Allts. 44459-14. Tejon Indians. 3.

estimates the number of Indians as 693 and speaks of their raising wheat, barley, corn, fruit, garden, potatoes etc on some 1000 acres of cultivated land.

In the report of 1857; J.R. Vinyard, Agent. reports 700 acres seeded in grain by community labor but a very dry season prevents a crop. He speaks of trees and grapes at the Agency and mentions 1000 Indians as resident there. He speaks of the proximity of the Fort, the grog shops, the curse of liquor among the Indians and the desirability of having the Indians isolated to avoid the mixture and association with the residents of California at that time.

He speaks of the unsettled title to the lands and mentions the erection of certain agency buildings of adobe bricks made by the Indians. An additional report for the same year by the Superintendent speaks of the poor crops and the necessity of sending the Indians to the Mountains for food,

In the report of 1858 the agent reports short crops which may support the Indians by economy. He speaks of crops, stock and poultry and mentions the effect of liquor on the Indians. He estimates the population at 600. He mentions former agent Beals plan for individual farms and self support. *All attempts come in 1888, but without success*

In 1859 J.R. Vinyard, Agent, reports about 600 Indians on the reserve and recommends individual allotments of the land so that each Indian family may have a personal interest in his products and assurance that he will have the benefit of what he produces as tending more to his advancement than the community work. He speaks of the first reserve having contained 60,000 acres, of its being reduced by Congress to 10,000 acres and later increased to 25,000 acres.

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ASIA-OF

Land- Allts. 44459-14. Tejon Ranch. 4.

He says that it is not surveyed but urges the importance of early survey and ejection of intruders . ~~He speaks of the unsettled title embarrassing the Agent as he does not know the extent of his authority. He speaks of having heard that the land was claimed by some one under a Mexican grant and that the United States Court had held against the Government.~~

~~* This is the first reference found to any adverse claim to the land used by the Indians.~~

In the report for 1861 Jno P.H. Wentworth, Supt. Southern Calif. mentions Tejon as particularly adapted for an Indian reservation being surrounded on three sides by the Mountains and on the other side by a barren tract of great area and as being good farm land and stock range. He refers to the land being claimed as the private property of a man in Los Angeles.

In 1862 the same agent reports 1370 Indians living on the reservation or in the locality. He says they are willing to work if assured of the fruits of their labor. He mentions their having horses, cattle and farms but that they are lacking in faith in the promises and plans of the government and recommends a definite survey and title. He says the land is claimed under a Mexican Grant and speaks of the trespass of stock. He recommends a school for manual training. He submits a map showing the location of the Indians, farms etc and urges the removal of settlers.

In 1863 the same agent reports again urging the survey and settlement of title believing that the title of the Indians is better than the claim then being made under an old grant. He speaks again

JUL 05 2006

ASIA-OFA

Land- Allts. 44459-14. Tejon Indians. 5.

of the particular adaptability of the place for Indians.

~~He submits correspondence showing the land as claimed under~~
~~U.S. Patent~~ by E.F. Beale, former agent, who demands ~~rent~~ from
the government and urges the removal of certain hostile Indians
who seem to have come there from elsewhere and who are charged
with preying on the stock. Beale proposes to rent the Government
12000 acres at \$1.00 per acre per year but the report does not show
whether such contract was ever made. (The forest service ~~is~~
is now renting similar land for 10¢ per acre) This lease seems
to have been suggested as a temporary plan until the Indians should
be moved from the land.

This is the last reference to these Indians that I found in
the Old Commissioner's reports though I might have overlooked
something as these reports are not indexed and I did not have access
to a complete file.

The old settlers of the locality say that the place had never
been known as a Grant and that they had always understood that
E.F. Beale had received his title directly from the United States
but the records show this to be an error. I found the record
as stated in the Letter from the General Land Office copy enclosed
with Office letter of July 20, 1914 "Land-Allts. 38386, 75281-14
H V C" which need not be reviewed here.

It appears that E.F. Beale was Surveyor General of California
and had charge of the survey of this particular land which he
claims to own immediately after the patent was issued to the

RECEIVED

JUL 05 2006

ASIA-OFA

Land- Allts. 44459-14. Tejon Indians. 6.

Mexican grantees though the county records show it as having been deeded to him about 1865.

These Indians had lived at the same place for many years, one of the old men say from the time the sun came up the first time.

They have some old letters showing correspondence with the Mexican authorities in Southern California about 1840 in reference to protection from travelers who stole their stock etc. which show that the authorities recognized them as well behaved, industrious Indians deserving of the protection they asked.

They have continued to live on the ranch up to the present time but the number has diminished by death and removal to other places until at present there ^{are} about sixty Indians making their home there.

They formerly lived further down the valley below the ranch house where there ^{are} some springs and some good land but some 35 years ago they were moved to there present location by Mr. Beale. They have a few acres in cultivation raising some fruit and garden aggregating perhaps 12 or 15 acres of which they make excellent use. They have been allowed to use the water from a small creek there for irrigation on condition that they let it run through the day for the stock.

The ranch remained the property of E.F. Beale and later of his son Truxton Beale until recently when it was bought by a syndicate composed of some thirty Los Angeles men. It was alleged, as has been reported, that these new owners notified the Indians that they would have to vacate the ranch but I was not able to confirm that report among the Indians but I did not see the leading man as he was away and those at home had no information except that they had

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JUL 05 2006

ASIA-OFA

44459-14 Land- Allts. Tejon Ranch. 7.

heard such report. I could not find that there had been any formal notice, nor do I believe such notice was given, formally or by authority of the owners, if at all.

During the many years that Mr. Beale owned the ranch he seems to have treated the Indians very well giving them work in preference to others and in many ways contributing to their support and comfort and the same policy seems to have been continued by his son, Truxton Beale, to a great extent and no rent seems to have been collected until about fifteen years ago since which time a rental of \$1.00 per year for each house, or family has been collected chiefly as a recognition of the title of the ranch to the land occupied and used by them. It is alleged that they formerly had considerable stock which privilege has been denied them for many years. Neighboring settlers allege that Mr Beale got their stock without due compensation and that the terms under which they moved to their present location were never complied with by the Owner of the ranch but this is rumor and it is doubtful if they have any definite information on the subject.

As to the charge that the Indians are in a very destitute condition I made inquiry among the neighbors who have lived by them for many years and who are prejudiced against the Ranch owners, of the teacher of the school at the Indian settlement, and of the merchant where they trade very generally and all agree that such report is not well founded. They say that the Indians have work almost any time they want to work and that with what they raise on the land cultivated they live very well and have money for all their requirements. My limited observation tends to bear

RECEIVED

JUL 05 2006

ASIA-OFA

Land- Allts. 44459-14. Tejon Ranch. 8.

out this report. If there is any real want it is doubtless owing to indolence,extravigance or dissipation except among the old and dependent and I am told that they care well for the few who are old.

I called on Mr. Lopez,who is local manager of the ranch and has been connected with it for many years,and asked him as to their present attitude toward the Indians and as to the alleged notice to vacate . He assures me that the local management of the property is very largely in his hands and if such notice had been given by any one it would doubtless hve been by him or with his knowledge but that no such notice had been given. He says that a few months ago one or two of the Indians showed a disposition to ignore the rights of the Ranch and decline to pay the rental mentioned above and otherwise ignore the regulations touching their residence on the land. He admits that he told these partioular Indians that they must recognize the property of the company and otherwise conduct themselves properly or they would be required to move off .

~~He says that they consider the Indians an asset in that they are convenient laborers who can be had conveniently whenever they are wanted and even if it is but a few days they are content as they are right at home for which reason they prefer them to laborers brought from a distance , and there are not many to be found when wanted nearer than Bakersfield, 30 miles away. They also appreciate the opportunity to employ the women for various domestic work on the ranch and it would be difficult to get other help for such work if the Indians were not there. He says that the general order is to employ Indians in preference to outside labor whenever they can be had and that some of them are working on the ranch most of the time~~

RECEIVED

JUL 05 2006

ASIA-OFA

Land- Allts. 44459-14, Tejon Ranch. 9.

and could be employed more if the time of they chose to work more regularly. He says they have objected to having other Indians coming in and making their home there and to Mexicans or whites hang around the Indian homes bringing liquor there and causing disturbances. They object to their having stock running out on the range but permit such as they can keep within their own fences.

He assures me that so far as he knows they can continue to live there indefinitely having the same privilege they have had if they recognize the ownership of the company and cooperate to keep the settlement orderly and sober.

In Los Angeles I called on several of the owners and in each case was referred to Mr. Lopez, whom they said would be the man to handle such matter and each assured me that they had never heard of such an order and all seemed to regard the Indians very much as had been stated by Mr. Lopez.

I asked them if they would sell us a small tract of land where the Indians live or give us some sort of Easement that would secure the use of that land to the Indians at least for a long term of years. They were not able to give me an answer to that without a meeting of their board and that meeting could not be held just then as Mr. Harry Chandler who is most active in the management of the business was out of the City for several days.

~~I am putting that question up to them by letter, as I told them I would do, for their consideration though I do not think there is much prospect of securing such title.~~

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Land: Allts. 44459-14. Tejon Ranch. 10.

The vacant land in the two townships and two fractional townships mentioned in this correspondence is very mountainous and unfit for a home for the Indians. All the land in these townships where there is any water has been taken up and some of it has been farmed for fifty or sixty years. The vacant land is in small tracts of 40, 80, 120 or 160 acres in a place and very few such tracts contain as much as 160 acres and all that is vacant is on the high dry mountains and much of such land has been bought from the railroad or otherwise acquired for grazing purposes and to control the range that has some valleys in the valleys.

I did not examine land in other townships as it could not be done intelligently without much time and perhaps some surveys and as there seems no immediate necessity I thought best not to incur the expense at this time, but I have no doubt the condition would be found about the same.

As long as this ranch is used, as it is now, as a cattle ranch I think there is little probability of the Indians being disturbed but should the valley land be subdivided and sold off in small tracts for fruit the owners would doubtless want the land and little water that is now used by the Indians as the location would be well suited for such use and would be one of the most valuable small portions of the property. It seems to be the general opinion that the plans of the company contemplate such disposition of the property at some future time but possibly not for some years.

I could not find, in books to which I had access, any record of any treaty or executive order, or Act of Congress touching a reservation at that place as mentioned in the reports referred above and

RECEIVED

JUL 05 2006

ASIA-OFA

Land- Allts. 44459-14. Tejon Ranch. M.

~~as this title was investigated by the Commission on Land titles in California under the special law governing such titles and the question seems to have been decided in favor of the grantees by the United States Court there must have been nothing official but perhaps a tentative recommendation which was never confirmed officially.~~

Unless some ground can be found ~~for~~ to support the claim of the Indians to rights to the land occupied it seems that it will be necessary for us to buy the land, if it can be bought, or to try to buy land of some one else in that same locality. There are a few old farms within a few miles up the same creek which might be bought but I have not thought advisable to negotiate for them until every prospect of securing their present home was exhausted.

I am enclosing a copy of my letter to the Company and will submit further report when reply is received by which time the Office will doubtless have given the matter further consideration to determine if grounds can be found to hold the land for the Indians.

Very Respectfully,

C. H. Ashbury
Special Indian Agent.